

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

December 5, 2011 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 3:00 pm.

Commissioner Coltrain provided the Invocation and also led the Pledge of Allegiance.

SELECTION OF CHAIRMAN / VICE-CHAIRMAN

Chairman Mitchell turned the meeting over to County Attorney Jay Dees to preside over the selection of Chairman and Vice-Chairman.

Chairman:

Mr. Dees opened the floor for nominations for Chairman.

Commissioner Barber nominated Commissioner Mitchell.

Commissioner Sides nominated Commissioner Ford.

There being no further nominations, Commissioner Sides moved to close the nominations. The motion was seconded by Commissioner Barber and passed unanimously.

Upon being put to a vote, the nomination for Commissioner Mitchell to serve as Chairman was supported by Commissioners Coltrain, Barber and Mitchell voting in the affirmative.

Based upon the 3-2 vote, Mr. Dees announced that Commissioner Mitchell would serve as Chairman for the next year.

Vice-Chairman:

Mr. Dees opened the floor for nominations for Vice-Chairman.

Commissioner Sides nominated Commissioner Ford.

There being no further nominations, Commissioner Mitchell moved to close the nominations. The motion was seconded by Commissioner Sides and passed unanimously.

Upon being put to a vote, the nomination for Commissioner Ford to serve as Vice-Chairman was supported 5-0.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the November 21, 2011 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Barber moved to add a discussion regarding the Charlotte Regional Partnership and the agency's funding. The motion was seconded by Commissioner Coltrain and passed unanimously.

Chairman Mitchell added the issue as agenda item #3b.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Ford moved, Commissioner Barber seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Barber requested to pull item B from the Consent Agenda for discussion.

Chairman Mitchell moved the item to #8b.

Commissioner Ford moved to approve the Consent Agenda with the change indicated by Commissioner Barber. The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. Personal and Blanket Bonds for Rowan County Officials

- B. Resolution Establishing Commission Meeting Schedule for 2012 (moved to agenda item #8b for discussion)
- C. Set Public Hearing for January 3, 2012 for FY 2013 CTP Grant
- D. RTS Bylaws Revisions
- E. Purchase of Flash Upgrades for Existing Mobile Radios

2. PUBLIC COMMENT PERIOD

Chairman Mitchell opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- William Turner spoke in opposition to requiring voter identification.
- Dr. Bryant Norman spoke in opposition to requiring voter identification.
- Alane Mills spoke in opposition to requiring voter identification.
- William Peoples spoke in opposition to requiring voter identification.
- Greg Edds spoke in support of requiring voter identification.
- Veleria Levy spoke in opposition to requiring voter identification.
- Nancy Lund spoke in opposition to requiring voter identification.

With no one else wishing to address the Board, Chairman Mitchell closed the Public Comment Period.

3. PRESENTATION OF FISCAL YEAR 2011 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Shane Fox of Martin Starnes & Associates provided a power point presentation as he highlighted the fiscal year 2011 Comprehensive Annual Financial Report (CAFR).

Mr. Fox said Martin Starnes & Associates had rendered an unqualified audit report, which was the highest level of assurance the firm could issue regarding the accuracy of financial statements. Mr. Fox said the audit showed no findings or questionable costs. Mr. Fox praised the Finance Department for its cooperation in the audit process.

Mr. Fox discussed the audit process and reviewed the financial position of the County.

Commissioner Ford referred to two (2) areas in the CAFR, which indicated the County appointed the entire ABC Board. Commissioner Ford said the information needed to be changed since the Commissioners had been appointing only one (1) member to the three-member board for over one (1) year.

Commissioner Barber expressed appreciation to staff for a job well-done. Commissioner Barber said during the September 19, 2011 Commission Meeting, the Board discussed several employee recognition programs. Commissioner Barber said he strongly felt the Board should show employees they are valued.

Commissioner Barber said several board members had preferred to wait until after the Board received its audit report to make a decision as to whether the employees should receive some type of recognition. Commissioner Barber said the Board had received a positive audit report. Commissioner Barber then asked the County Manager to add for consideration at the next board meeting a discussion regarding county employee recognition programs. Commissioner Barber said he had also asked the County Manager to discuss with each Commissioner, the possible options the Board could vote on that would be effective for employee recognition at the end of the month. Commissioner Barber said a motion was not necessary; he was asking the County Manager to put the issue on the agenda for the next meeting.

Commissioner Coltrain reiterated Commissioner Barber's comments and expressed hope the Board would show its appreciation to the employees over the next few weeks.

Commissioner Ford said he had voted against a tax increase "because I knew we didn't need it."

Commissioner Coltrain moved to accept the CAFR for fiscal year ending June 30, 2011. The motion was seconded by Commissioner Barber and passed unanimously.

ADDITION

DISCUSSION REGARDING CHARLOTTE REGIONAL PARTNERSHIP

Commissioner Barber led into the discussion by apologizing to Economic Development Commission (EDC) Director Robert Van Geons for the short notice regarding the decision to add the current discussion to the agenda.

Commissioner Barber said the agenda item was a budget issue and also a moral issue for him. Commissioner Barber said Mr. Van Geons had called each Commissioner several weeks ago regarding a media report concerning the Charlotte Regional Partnership (CRP) and its Executive Director, Ronnie Bryant, who had received a \$64,000 bonus. Commissioner Barber said the EDC Chairman, James Taylor, had asked as a taxpayer, not as the EDC Chairman, for the issue to be added to the agenda.

Commissioner Barber read the headlines regarding a media report on November 11, 2011 that discussed Mr. Bryant's bonus. The bonus raised Mr. Bryant's salary to more than \$320,000. Commissioner Barber said he had a problem with an executive director receiving a \$64,000 bonus when there were people living in cars in Rowan County.

Commissioner Barber moved that the County's annual funding budgeted in the amount of \$38,000 be withheld from CRP. Commissioner Barber said withholding the funds did not mean it would take away the County's "seat at the

table” with the CRP. Commissioner Barber felt the Board should keep its seat and send a message the process that had been used was wrong. The motion was seconded by Commissioner Sides.

Chairman Mitchell said the 2011 fiscal year allocation had been withheld thus far due to issues the County had with the CRP.

Commissioner Coltrain suggested that a letter be sent from Chairman Mitchell to the CRP indicating the County’s concerns. Commissioner Coltrain said the letter should also ask for a response in order to guide the County in future deliberations. Commissioner Coltrain felt the County needed to keep its seat at the table with the CRP.

Commissioner Ford asked if the County would have a seat at the table if it withdrew its funding from the CRP. County Manager Gary Page responded that he had not reviewed the bylaws; however, he felt if the County withdrew its appropriation, the CRP might not allow the County to vote.

Commissioner Sides asked what the County had actually gained from the CRP over the past six (6) months. Commissioner Sides said his complaint was that the CRP had represented Charlotte for years and not the region.

Commissioner Barber said he could not offer an answer to Commissioner Sides’ question. Commissioner Barber said it was clear in his mind that Rowan County had become “a bedroom community” of Charlotte.

Commissioner Coltrain expressed a differing view from Commissioner Barber. Commissioner Coltrain said Mr. Van Geons had been able to attend trade shows, both nationally and internationally, due to the County’s involvement with the CRP.

Commissioner Barber said he would like for the Board to instruct the EDC to advise how it would use either a portion or all of the \$38,000 allocation if the County were to divert the CRP funds to them. Commissioner Barber felt the EDC could use the funds more effectively locally. Commissioner Barber said secondly, the \$38,000 would go a long way in funding the reclassification request from the Human Resources Department. Commissioner Barber said he would like for the County Manager to discuss with the Human Resources Director how those funds could be utilized between now and June 30, 2012 to address the reclassification issue.

Commissioner Sides said the motion was getting “convoluted” and if Commissioner Barber’s requests were being added to the motion, he would withdraw his second. Commissioner Sides felt the County should withdraw its funding from the CRP; however, he felt the other issues mentioned by

Commissioner Barber were budget matters that he preferred to address during budget discussions.

Chairman Mitchell said the motion was to pull the funding from the CRP and Commissioner Barber confirmed.

Chairman Mitchell said the other issues mentioned secondarily by Commissioner Barber could be handled through Staff and brought to the Board during budget discussions or at a time requested by Commissioner Barber.

Mr. Page clarified for the record the funding amount for the CRP was \$36,326.

Upon being put to a vote, the motion on the floor passed 4-1 with Commissioner Coltrain dissenting.

In response to a comment from Commissioner Sides, Chairman Mitchell said the letter suggested by Commissioner Coltrain would outline why the Board took action.

4. DISCUSSION REGARDING REQUESTS OF STAFF

Commissioner Barber referred to information in the agenda packet, which was also presented to the Board of Commissioners in 2006. The information pertained to the flow of information with the County Manager, staff, etc. Commissioner Barber said no motion was made at the 2006 meeting and it was generally felt that while the idea was a good one, it was not necessary. Commissioner Barber said he had now served on the Board for five (5) years and that he felt it was necessary.

Commissioner Barber said he was referring to requests made outside of the meeting by Commissioners to staff or other agencies funded by the County. Commissioner Barber highlighted the reasons he felt board members requests should be funneled through the County Manager.

Commissioner Barber said he would self-impose a process, beginning today, for which all his requests would go through the County Manager. Commissioner Barber said he would copy all Commissioners on his requests. Commissioner Barber said the County Manager could work with staff/agencies to fulfill the request and when all information was received, all Commissioners would be provided with a copy. Commissioner Barber said the County Manager should store all email requests and responses electronically in a folder. Commissioner Barber said the information could be accessed at any time by a Commissioner or by citizens. Commissioner Barber said he did not know if there was a consensus from the Board; therefore, he would self-impose the process for himself.

Chairman Mitchell asked for any comments on the issue and there being none, he thanked Commissioner Barber for the information.

Chairman Mitchell called for a recess at 4:05 pm.

Chairman Mitchell reconvened the meeting at 4:10 pm.

5. CONSIDER DATES FOR 2012 COMMISSIONERS' ANNUAL PLANNING WORKSESSION

Chairman Mitchell opened the floor for discussion regarding the Board's preferences for holding a planning worksession. Chairman Mitchell said Staff would need direction now in order to prepare materials for the Board in a timely fashion.

Chairman Mitchell asked if it was the Board's pleasure to hold a worksession.

Commissioner Coltrain moved to hold a worksession on February 29, 2012. The motion was seconded by Commissioner Sides for discussion purposes.

Commissioner Sides said he was not in favor of an annual planning retreat as held in the past. Commissioner Sides said he liked the worksession format held by the Board earlier in the year where the Board had met for one (1) day to discuss the budget.

Upon being put to a vote the motion on the floor passed unanimously.

Commissioner Coltrain said he would like to have information included in the agenda packets regarding program goals. Commissioner Coltrain said the budget would be discussed in the spring and he would like to review the forward-thinking results from staff.

Chairman Mitchell said as far as requests for the budget, he felt it was a good idea to give the County Manager an indication in February as to the Board's expectations for the budget.

After a brief discussion, it was decided all requests should be submitted to the County Manager by January 20, 2012 in order to allow staff ample time to prepare agenda packets for the worksession. Chairman Mitchell said the Board should receive agenda packets by February 17, 2012.

Chairman Mitchell questioned Commissioner Coltrain regarding his request for program goals. Commissioner Coltrain explained that he was asking the County Manager to request from the department heads, their goals for the next fiscal year and beyond. Commissioner Coltrain said he would like the information at least 2 weeks in advance to give board members the opportunity to follow up on the information.

Chairman Mitchell said he had no problem with department directors submitting their program goals as long as the department directors were not making presentations at the work session.

Commissioner Sides said as long as the request did not “draw our meeting out” with a lot of reading of plans. Commissioner Sides said the meeting should be a worksession where each Commissioner’s outlook on the budget as a whole was discussed.

Commissioner Coltrain informed the Board that he planned to visit with the department directors regarding their information.

By consensus, the Board agreed to hold the worksession at 9:00 am.

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board’s consideration:

- Finance – To recognize revenue received from the University of Pittsburgh for Emergency Services participating in a medical study - \$1,000
- Finance – to budget additional immunization Action Plan Grant funds for the Health Department, which can be used to support the immunization program - \$7,739

Commissioner Sides moved approval of the budget amendments as presented. The motion was seconded by Commissioner Barber and passed unanimously.

7. CONSIDER APPROVAL OF BOARD APPOINTMENTS **ECONOMIC DEVELOPMENT COMMISSION**

There are two (2) vacancies and the following applications have been submitted for consideration:

- James Greene – for reappointment
- Randall Scott Gettys – for reappointment
- Stephen Kidd (Please note that Mr. Kidd currently serves on the Personnel Committee. Mr. Kidd also submitted an application to serve on the Planning Board)

The terms would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014.

Commissioner Ford nominated Stephen Kidd and James Greene.

Commissioner Coltrain nominated Randall Scott Gettys.

The nomination for James Greene passed unanimously.

The nomination for Randall Gettys failed 2-3 with Commissioners Ford, Sides and Mitchell dissenting.

The nomination for Stephen Kidd carried 3-2 with Commissioners Coltrain and Barber dissenting.

James Green and Stephen Kidd were appointed to the Economic Development Commission.

BOARD OF HEALTH

There are five (5) vacancies and the following applications have been submitted for consideration:

- William Webb, III – for reappointment
- Dan Mikkelson – for reappointment
- Stephen Fuller – for reappointment
- Luther Lyerly – for reappointment
- Rick Parker – for reappointment

The terms would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014.

Commissioner Sides nominated William Webb, Dan Mikkelson, Stephen Fuller, Luther Lyerly, and Rick Parker for reappointment. The nominations passed unanimously.

Chairman Chad Mitchell is eligible for reappointment as the Commissioner designee to this board. The term would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014. (The term runs concurrent with his term in office.)

Commissioner Ford nominated Chairman Mitchell. The nomination passed unanimously.

HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY COMMITTEE

There are eleven (11) voting members on this committee. The following seven (7) members serve by virtue of their positions and the Board is asked to make these appointments:

- Rick Eldridge, Executive Director of Ruffy-Holmes Senior Center
- Gary Price, Director of Rowan County Transportation Department
- Sandra Wilkes, Interim Director of Rowan County Department of Social Services
- Manie Richardson, Region F Advisory Committee Delegate
- Dot Hauss, Region F Advisory Committee Delegate
- Leah McFee, Region F Advisory Committee Delegate
- Barbara Gaul, Region F Advisory Committee Alternate Delegate

Commissioner Coltrain nominated all the individuals as listed above and the nominations passed unanimously.

A Rowan County Commissioner is requested to be appointed as a voting member of this committee.

Commissioner Sides moved to not appoint a County Commissioner as a voting member of the committee. The motion was seconded by Commissioner Barber and passed unanimously.

Applications are currently being sought for three (3) At Large members to serve staggered terms.

The Rowan County Manager, Gary Page, and the Area Agency on Aging Representative, Gayla Woody, are asked to be appointed as non-voting ex-officio members.

Commissioner Sides moved, Commissioner Coltrain seconded and the vote to appoint County Manager Gary Page and Area Agency on Aging Representative Gayla Woody as ex-officio members passed unanimously.

PARKS AND RECREATION COMMISSION

There are four (4) vacancies and the following applications have been submitted for consideration:

- Jim Epperson – for reappointment
- Bob Parker – for reappointment
- Norma Drake – for reappointment
- Reid Walters
- Alan Lyerly

The terms would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014.

Commissioner Coltrain nominated Jim Epperson, Bob Parker, Norma Drake and Reid Walters and the nominations carried unanimously.

PLANNING BOARD

There are four (4) vacancies and the following applications have been submitted for consideration:

- Steve Poteat – for reappointment
- Larry Wright – for reappointment
- Darlene Blount
- Rip Kersey
- Stephen Kidd (Mr. Kidd currently serves on the Personnel Committee. Mr. Kidd also submitted an application to serve on the Economic Development Commission)

The terms would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014.

Please note that an application was received for consideration from Karla Constantino on Monday, November 28 after the agenda packet deadline.

Commissioner Coltrain nominated Rip Kersey.

Commissioner Barber nominated Darlene Blount for appointment, and Larry Wright and Steve Poteat for reappointment.

Upon being put to a vote, the nominations for Rip Kersey, Darlene Blount, Larry Wright and Steve Poteat passed unanimously.

ROWAN COUNTY RESCUE SQUAD BOARD

There are two (2) vacancies and the following applications have been submitted for consideration:

- Lawrence (Larry) Helms
- Malcolm (Mac) Butner
- Rip Kersey

The terms would be for two (2) years beginning January 1, 2012 and expiring December 31, 2013.

Commissioner Sides nominated Larry Helms and Malcolm "Mac" Butner.

Commissioner Barber asked for clarification regarding the appointments. Commissioner Barber said according to the Rescue Squad's bylaws, the appointments made by the Commissioners were to take place in even years.

Commissioner Sides explained that the appointments were being made now, and would be effective for 2012, which was an even year. The Rescue Squad's appointments were made in the odd years.

Commissioner Barber discussed the past appointment of Don Bringle. Commissioner Barber said he understood the Rescue Squad by-laws to read that a county employee could not serve on the Rescue Squad Board; however, the Board had appointed Mr. Bringle last year.

Chairman Mitchell said the Board of Commissioners had violated the bylaws when appointing Mr. Bringle; however, he stated in the Board's defense, it was requested for the Board to appoint Mr. Bringle.

Commissioner Barber stated he would have liked for Mr. Bringle to have known the appointment was to be discussed.

Commissioner Sides said Mr. Bringle did understand these appointments would take place. Mr. Sides went on to say that in defense of the nominations, all the appointments were listed on the County's website and people who want to serve can access the website and put in applications. Commissioner Sides said the appointments were not being done behind the scenes and the boards knew when their members' terms expire.

Chairman Mitchell said the nominations were currently for Larry Helms and Mac Butner.

Commissioner Barber nominated Rip Kersey.

Chairman Mitchell called for a vote for each nomination and the votes were as follows:

- Larry Helms – 4-1 with Chairman Mitchell dissenting
- Mac Butner – 3-2 with Commissioners Coltrain and Barber dissenting
- Rip Kersey – 3-2 with Commissioners Ford and Sides dissenting

Chairman Mitchell called for a vote to break the tie between Mac Butner and Rip Kersey. Mr. Butner was supported 3-2 with Commissioners Coltrain and Barber dissenting.

The Emergency Services Director, Frank Thomason, is requested to be reappointed as a voting member of this Board, by virtue of his position.

Commissioner Ford nominated Frank Thomason for reappointment and the nomination carried unanimously.

ROWAN COUNTY TOURISM DEVELOPMENT AUTHORITY

Commissioner Raymond Coltrain is eligible for reappointment as the Commissioner designee to this board.

Commissioner Sides nominated Raymond Coltrain and the nomination passed unanimously.

Chairman Mitchell announced that Commissioner Coltrain would be serving with Commissioner Sides on the Rescue Squad Committee that was working on a funding mechanism for the Rescue Squad.

ROWAN COUNTY LANDMARKS COMMISSION

Tom Harrell's term expires December 31, 2011. Mr. Harrell is not seeking reappointment. There are currently three (3) vacancies on this commission.

ROWAN-SALISBURY COMMUNITY ACTION AGENCY

Rodney Queen's term expired October 31, 2011. He is not eligible for reappointment. The agency is currently seeking applicants to fill this position.

Chairman Mitchell said the Community Action Agency was aware that Mr. Queen could continue to serve until a replacement was found.

Commissioner Ford said he would like to see information added to the County's website regarding the deadline for board applications.

Chairman Mitchell said it would be appropriate to list a statement indicating the application deadline was the same as the agenda deadline.

Commissioner Sides also recommended adding a statement for applicants to please contact the Clerk with any questions.

8. CONSIDER SECOND MEETING IN DECEMBER

Chairman Mitchell said the Board typically cancelled its second meeting for the month of December; however, he said there were two (2) technical items that would require the Board's consideration prior to December 31, 2011.

Chairman Mitchell said his personal preference was to hold one (1) quick meeting and not discuss matters of substance until January 2012.

County Manager Gary Page commented that he would have another item for the Board to discuss, which pertained to ordering radios for the 911 Center.

After a brief discussion, Commissioner Coltrain moved to reschedule the December 19, 2011 meeting from 6:00 pm to 2:00 pm on December 19, 2011. The motion was seconded by Commissioner Sides.

Chairman Mitchell said he would leave it to the Clerk's discretion when preparing the notice whether to advertise a meeting cancellation or advertise for a special meeting.

8b. RESOLUTION ESTABLISHING COMMISISON MEETING SCHEDULE FOR 2012 (Pulled from Consent Agenda)

Commissioner Barber said the Board's current meeting schedule was the first and third Monday of each month at 3:00 pm and 6:00 pm respectively. Commissioner Barber asked if there was any interest in holding all meetings at 6:00 pm in order to avoid confusion over the meeting times.

Commissioner Sides said he was comfortable with the current schedule.

Commissioner Coltrain was agreeable to changing all meetings to 6:00 pm for consistency.

Chairman Mitchell moved approval of the resolution as presented. The motion was seconded by Commissioner Sides and passed 4-1 with Commissioner Coltrain dissenting.

9. ADJOURNMENT

There being no further business to come before the Board, Commissioner Coltrain moved to adjourn at 4:38 pm. The motion was seconded by Commissioner Ford and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/Assistant to the County Manager